

CITY OF SPRINGDALE
Committee Agendas
Monday, March 4th, 2019
Multipurpose Room #236
City Administration Building
Meetings begin at 5:30 p.m.

Finance Committee by Chairman Jeff Watson:

1. **A Resolution** authorizing the Fire Chief to submit a grant application. Item presented by Mike Irwin, Fire Chief. **2-4**

Police & Fire Committee by Chairwoman Amelia Williams:

2. **A Resolution** authorizing the payment for ambulance equipment for the Fire Department. Item presented by Mike Irwin, Fire Chief. **5- 10**
3. **An Ordinance** to waive competitive bidding for the purchase of firearms for the Police Department. Item presented by Mike Peters, Police Chief. **11-16**

Street and CIP by Chairman Rick Evans:

4. **Discussion** regarding a possible settlement of a condemnation case on the 18BPS1 project. Item presented by Ernest Cate, City Attorney.

Health Sanitation & Property Maintenance by Chairman Brian Powell:

5. **Ordinance** ordering the razing (demolition) and removal of a certain residential structure within the City of Springdale, Arkansas, located at 422 Caudle St.; to declare an emergency and for other purposes. Item presented by Ernest Cate, City Attorney. **17-21**
6. **Ordinance** ordering the razing (demolition) and removal of a certain residential structure within the City of Springdale, Arkansas, located at 422 1/2 Caudle St.; to declare an emergency and for other purposes. Item presented by Ernest Cate, City Attorney. **22-26**

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE FIRE CHIEF TO
SUBMIT A GRANT APPLICATION**

WHEREAS, the application period for the 2018 Staffing for Adequate Fire and Emergency Response Grant Program (SAFER) ends on March 22, 2019; and

WHEREAS, additional staff will be needed for the new fire stations under construction; and

WHEREAS, the grant would reduce the pressure of a sudden increase in the General Fund Budget; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Fire Chief is hereby authorized to apply for a SAFER grant to add up to six additional employees.

PASSED AND APPROVED this 12th day of March, 2019.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney

Post Office Box 1521
417 Holcomb Street
Springdale, AR 72765-1521
Phone (479) 751-4510
Fax (479) 750-8104

Springdale Fire Department

February 22, 2019

To Mayor Doug Sprouse and City Council Members;

This letter is to formally request permission for the Springdale Fire Department to submit an application for the 2018 Staffing for Adequate Fire and Emergency Response Grant Program (SAFER).

The grant period runs from February 15, 2019 until 5:00pm on March 22, 2019. The beginning award date will tentatively begin on July 31, 2019. If we are successful, we have a 180 day period to hire our personnel once the award has been given.

We would like to request six (6) personnel with this grant application to help offset our costs to the city for the staffing of station 9. We will need more than that, and we would like to stagger the hiring in order to allow us to absorb the new personnel in a controlled environment. We are asking for 11 personnel to be hired in 2020, and an additional 11 personnel to round out our total personnel requirements for station 9 plus the needed additional support staff. The 6 personnel that we are asking for in the grant application would be to help offset the costs of the 11 personnel. We will not be asking for all 11 in the grant as we have some information that is useful in determining the amount of personnel requested, and we feel that 6 is the maximum we can be successful at.

The length of the grant is for a total of 3 years, and the grant will cover the usual annual cost of the first-year firefighter in the department. The grant will cover 75% of the usual annual cost for years one and two and will cover 35% for year three. This includes base salary and the normal benefits package. It does not include any FLSA pay or overtime.

Based on calculations from our finance department, we will be asking for the following funding:

Year 1: Federal Contribution: \$236,484 City Contribution: \$78,828
Year 2: Federal Contribution: \$236,484 City Contribution: \$95,413
Year 3: Federal Contribution: \$110,359 City Contribution: \$238,133
Total Requested funds: \$995,701 Federal Funds for 3 years: \$585,327
Total City Funds for 3 years: \$412,374



The Springdale Fire Department exists to enhance the quality of life in Springdale by minimizing the devastating effects of fires, medical emergencies, and natural and artificial disasters.

Post Office Box 1521
417 Holcomb Street
Springdale, AR 72765-1521
Phone (479) 751-4510
Fax (479) 750-8104

Springdale Fire Department

Michael J. Irwin

Fire Chief
Springdale Fire Department



The Springdale Fire Department exists to enhance the quality of life in Springdale by minimizing the devastating effects of fires, medical emergencies, and natural and artificial disasters.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE PAYMENT
FOR AMBULANCE EQUIPMENT FOR THE FIRE
DEPARTMENT**

WHEREAS, equipment for the Fire Department is an eligible expenditure from the 2018 bond issue, and

WHEREAS, the Fire Chief has purchased the equipment needed for ambulance service, and

WHEREAS, there are funds available in the 2018 Fire Department Bond Fund to pay for this purchase.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that the Mayor is hereby authorized to pay \$55,822.88 for equipment for ambulance service with funds from the 2018 Fire Department Bond Fund.

PASSED AND APPROVED this 12th day of March, 2019.

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM:

Ernest B. Cate, City Attorney



Physio-Control, Inc.
11811 Willows Road NE
Post Office Box 97006
Redmond, WA 98073-9706 USA
Telephone: 425-867-4000
Fax: 425-881-2405
F.E.I.N. 91-0697691

OK-DR 51-19
Product Billing

Mail payments via US Mail to this address only
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Chicago, IL 60693
Please reference Invoice Number on your check.
For Inquiries, Call toll free 1-800-426-8047

Page: 1

INVOICE

119010828

02/08/19

BILL TO ACCOUNT: 01489702

SHIP TO ACCOUNT: 01489701

Sold To: 01489702

SPRINGDALE FD
PO BOX 1521
SPRINGDALE, AR 72765
UNITED STATES

SPRINGDALE FD
417 HOLCOMB ST
SPRINGDALE, AR 72764
UNITED STATES

LUCAS MACHINE

Please return top portion with payment.

DATE SHIPPED		PURCHASE ORDER NUMBER		SALES/SERVICE REPRESENTATIVE			T-TAXABLE		E-EXEMPT	
02/08/19		Q00161106		EHLH04 WECC68		cutlec1				
CARRIER GRD-NC		CARRIER TRACKING NUMBER P00440774		SALES ORDER S3953352-00		PAYMENT TERMS Net 30 Days				
LINE	CATALOG NUMBER	DESCRIPTION		QTY ORD	U/M	QTY SHP	QTY B/O	UNIT PRICE	EXT TOTAL	T/E
1	99576-000063	LUCAS 3, 3.1, IN SHIPPING BOX, EN		1	EA	1	0	16190.00	13876.50	T
		S/N: 3518D406						Discount 2313.50-		
15	11576-000071	LUCAS POWER SUPPLY WITH CORD, REDEL, CANADA, US		1	EA	1	0	391.00	340.17	T
		Contact: DAVID KISSINGER Phone: 479-751-4510						Discount 50.83-		
								Sub Total	14216.67	
								Taxes	1386.12	
SIGNED QT 00161106 TODD SHIRE										
NASPO17										
3GM-4GO MODEM PROMO										

CCR 2-7-19										

SERVICE AGREEMENT WILL BE BILLED ON A SEPARATE INVOICE										

DATA PLAN WILL BE BILLED ON A SEPARATE INVOICE										

Site: 15

*** ORIGINAL ***



ACCEPTED



Physio-Control, Inc.
11811 Willows Road NE
Post Office Box 97006
Redmond, WA 98073-9706 USA
Telephone: 425-867-4000
Fax: 425-881-2405
F.E.I.N. 91-0697691

OK - OK 5/1-19
Product Billing

Mail payments via US Mail to this address only
12100 Collections Center Drive
Chicago, IL 60693
Please reference Invoice Number on your check.
For inquiries, Call toll free 1-800-426-8047

INVOICE

119010919

02/11/19

LP 15 MONITOR

BILL TO ACCOUNT: 01489702 SHIP TO ACCOUNT: 01489701 Sold To: 01489702

SPRINGDALE FD
PO BOX 1521
SPRINGDALE, AR 72765
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SPRINGDALE FD
417 HOLCOMB ST
SPRINGDALE, AR 72764
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Please return top portion with payment.

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02/11/19		Q00161106		EHLH04 WECC68 cutlec1							
CARRIER		CARRIER TRACKING NUMBER		SALES ORDER		PAYMENT TERMS					
GRD-NC		SH00429672		S3953352-00		Net 30 Days					
LINE	CATALOG NUMBER	DESCRIPTION			QTY ORD	U/M	QTY SHP	QTY B/O	UNIT PRICE	EXT TOTAL	T/E
2	99577-001588	LP15 MONITOR/DEFIB, CPR, Pace, to 360j, SPO2/CO/MethHb, 12L/3L, NIBP, CO2, Trend, BT			1	EA	1	0	39195.00	33429.75	T
		S/N: 47921844							Discount 5765.25-		
3	11996-000091	ELECTRODE-EDGE, ADULT, QC STD, WORLDWIDE			2	EA	2	0	38.00	0.00	T
		L/C: 835131 Expires: 07/07/21					2		Discount 38.00-		
4	21330-001365	ASSY - TEST LOAD, ROHS, ENGLISH			1	EA	1	0	105.00	0.00	T
									Discount 105.00-		
5	26500-003612	ASSY, CD-ROM, SERVICE MANUAL, LP15, V4			1	EA	1	0	0.00	0.00	T
6	41577-000288	LP15 ACCRY SHIPKIT, AHA, S			1	EA	1	0	0.00	0.00	T
		L/C: 47970882					1				
7	11160-000013	NIBP CUFF-REUSEABLE, CHILD, BAYONET			1	EA	1	0	25.00	20.40	T
									Discount 4.60-		
8	11160-000017	NIBP CUFF-REUSEABLE, LARGE ADULT, BAYONET			1	EA	1	0	34.00	28.05	T
									Discount 5.95-		

*** CONTINUED ***



ACCEPTED



Physio-Control, Inc.
11811 Willows Road NE
Post Office Box 97006
Redmond, WA 98073-9706 USA
Telephone: 425-867-4000
Fax: 425-881-2405
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GRD-NC		SH00429672		S3953352-00		Net 30 Days					
LINE	CATALOG NUMBER	DESCRIPTION			QTY ORD	U/M	QTY SHP	QTY B/O	UNIT PRICE	EXT TOTAL	T/E
9	11160-000019	NIBP CUFF- REUSEABLE, X-LARGE ADULT, BAYONET			1	EA	1	0	49.00	40.80	T
							Discount		8.20-		
10	11171-000049	RAINBOW DCI ADT REUSABLE SENSOR, REF 2696,ROHS			1	EA	1	0	640.00	544.00	T
		L/C: 18M41					1				
							Discount		96.00-		
11	11171-000050	RAINBOW DCIP PED REUSABLE SENSOR, REF 2697,ROHS			1	EA	1	0	705.00	599.25	T
		L/C: 18M35					1				
							Discount		105.75-		
12	11220-000028	Top Pouch			1	EA	1	0	59.00	48.45	T
							Discount		10.55-		
13	11260-000039	KIT - CARRY BAG, REAR POUCH, 3RD EDITION			1	EA	1	0	84.00	69.70	T
							Discount		14.30-		
17	11577-000002	KIT - CARRY BAG, MAIN BAG			1	EA	1	0	327.00	272.00	T
							Discount		55.00-		
18	11577-000001	KIT - CARRY BAG, SHOULDER STRAP			1	EA	1	0	38.00	0.00	T
							Discount		38.00-		
19	21330-001176	BATTERY PACK-LI-ION,			4	EA	4	0	479.00	1594.60	T

*** CONTINUED ***



ACCEPTED



Physio-Control, Inc.
11811 Willows Road NE
Post Office Box 97006
Redmond, WA 98073-9706 USA
Telephone: 425-867-4000
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CARRIER		CARRIER TRACKING NUMBER		SALES ORDER		PAYMENT TERMS				
GRD-NC		SH00429672		S3953352-00		Net 30 Days				
LINE	CATALOG NUMBER	DESCRIPTION		QTY ORD	U/M	QTY SHP	QTY B/O	UNIT PRICE	EXT TOTAL	T/E
		E-CELL				Discount		80.35-		
		L/C: 20181210 Expires: 12/10/20				4				
		Contact: DAVID KISSINGER								
		Phone: 479-751-4510								
								Sub Total	36647.00	
								Taxes	3573.09	
SIGNED QT 00161106 TODD SHIRE										
NASPO17										
3GM-4GO MODEM PROMO										

CCR 2-7-19										

SERVICE AGREEMENT WILL BE BILLED ON A SEPARATE INVOICE										

DATA PLAN WILL BE BILLED ON A SEPARATE INVOICE										

										40220.09

Site: 15

*** ORIGINAL ***



ACCEPTED

12,821,620.65 +
277,424.54 -
3,553,210.72 +
16,000,629.38 -
96,767.45 *

0.0

40,220.09 +
15,602.79 +
55,822.88 *

ORDINANCE NO. _____

**AN ORDINANCE TO WAIVE COMPETITIVE
BIDDING FOR THE PURCHASE OF
FIREARMS FOR THE POLICE DEPARTMENT**

WHEREAS, the City of Springdale Police Department received a \$28,398 grant for the purchase of firearms, and

WHEREAS, the 2019 Police Department budget includes \$35,000 for the purchase of firearms, and

WHEREAS, there is only one source available to purchase Glock model 43 pistols, preferred by the Police Department, and

WHEREAS, Arkansas Code 14-58-303 states, "The governing body, by ordinance, may waive the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical";

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that

Section 1. This Council finds that due to the specialized needs of the police department and the single source provider it is not feasible or practical to use competitive bidding in the purchase of firearms and competitive bidding on the purchase of the Glock model 43 pistols is hereby waived for an amount not to exceed \$63,228.73.

Section 2. Emergency Clause. It is hereby declared that an emergency exists, and this ordinance being necessary for the immediate preservation of the health, safety, and welfare of the citizens of Springdale, Arkansas, shall be effective immediately upon passage and approval.

PASSED AND APPROVED this 12th day of March, 2019

Doug Sprouse, Mayor

ATTEST:

Denise Pearce, City Clerk

APPROVED AS TO FORM

Ernest B. Cate, City Attorney



CITY of SPRINGDALE

POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE

To: Mayor Sprouse
Cc: Wyman Morgan
From: Chief Mike Peters
Date: 2/28/2019
Re: Waiver of bid for purchase of firearms

Mayor,

As you are aware we received a Justice Assistance Grant to purchase backup / off duty handguns for our officers. The grant is enough to purchase a handgun for approximately 45% of our sworn officers, so money was approved in the 2019 budget to purchase the remaining handguns.

The handgun that we requested to purchase in the grant, and proposed in our budget, is the Glock 43, 9mm pistol. We issue full size Glock pistols for duty carry and the model 43 has the same functionality in a smaller, more concealable size.

Glock is by far the most common firearm carried by law enforcement in the United States. They offer law enforcement pricing, which requires us to purchase them from the local authorized dealer, which is Cruise Uniform located at Ozark Center Point Place, here in Springdale.

With night sights and the SPD logo engraving the pistols are \$394.60. We checked other local gun dealers, just for price comparison of the law enforcement price, and this model sells for \$516.00, without engraving.

I am requesting that the council waive competitive bidding and allow us to purchase 146 Glock model 43 pistols from Cruise Uniform.

Glock 43 pistol \$394.60 each, 146 with tax total cost **\$63,228.73**

Justice Assistance Grant	\$28,398.00
Money in 2019 budget for this purchase	\$35,000.00
TOTAL	\$63,398.00

ADMINISTRATION BUILDING, 201 NORTH SPRING STREET, SPRINGDALE, ARKANSAS 72764
(479) 751-4542

CHIEF MIKE PETERS

CITY of SPRINGDALE

POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE

I have attached the following:


- Sole source provider letter from Glock
- Quote from Cruise Uniform for 146 pistols
- Quote from Ozark Armory for comparison

Please let me know if you have any questions or concerns.

Sincerely,



Mike Peters
Chief of Police

www.glock.com	GLOCK, Inc.	USA	
	6000 Highlands Parkway Smyrna, GA 30082 USA Tel. +1 770 432 1202 Fax +1 770 433 8719		

Springdale Police Department
 Attn: Chad Niccum
 201 N. Spring Street
 Springdale, AR 72764

your reference	dated	our reference	Smyrna, GA 28-August-2018
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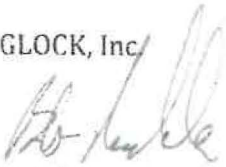
Re: Sole Source and Distribution Letter

Dear Mr. Niccum:

Please be advised, Cruse Uniforms, located at 1048 S. 48th St., Suite C, Springdale, Arkansas 72764, is the only authorized law enforcement distributor of GLOCK pistols for the State of Arkansas, and is the sole source for procurement purposes of GLOCK weapon systems by law enforcement agencies located in Arkansas.

The GLOCK Distributor will handle with your agency all communications regarding pricing, terms and conditions, as well as the trade-ins, if any, of your out of commission firearms towards partial payment of the new GLOCK pistols.

Sincerely,

GLOCK, Inc.

 Bob Radecki
 National Sales Manager


 Carlos Guevara
 Vice President - General Counsel

CRUSE UNIFORMS & EQPT.-SPDL.
1048 S. 48TH STREET - SUITE C
SPRINGDALE,AR 72762
(479)756-8182 Fax #:756-1225

2/27/19

43 GUNS W/NS
PRINGDALE POLICE DEPT.
01 NORTH SPRING ST.

PRINGDALE AR 72764
79-750-8575

ear Sirs:

Please accept this correspondence as our quote on the following:

QUOTE #701707

- ITEM #	-----	DESCRIPTION	-----	QTY.	- UNIT PRICE	- EXTENSION	-
1	PI43507	GLOCK 43 9MM SINGLE STACKS GNS		146	368.60	53,815.60	
2	ENGRAVING	SPRINGDALE POLICE		146	26.00	3,796.00	

Total of lines with quantities only:	292	57,611.60
Estimated Sales Tax on lines with quantities only:(070/.0975)		5,617.13
Thank you for allowing us this opportunity to serve you.		63,228.73
This quote is valid for up to 30 days.		

Sincerely,

TEPHANIE NICCUM
Store Manager
CRUSE UNIFORMS & EQUIPMENT INC.

Quote

Ozark Armory, Inc.

Guns and Accessories
1705 Thompson • Springdale, AR 72764
Phone: 479-927-0888 • Fax: 479-927-0880
FFL No. 571143 02 5H 00104

P.16

NAME	Springdale Police Department	DATE	2/27/19
ADDRESS			
CITY			
I.D. / FFL NO.			
DESCRIPTION		AMOUNT	
(new) Glock 43 9mm w/night sights		516	00
TAX		50	31
TOTAL		566	31

NOTICE:
FIRE ARMS, DANGEROUS WEAPONS OR AMUNITION ARE SOLD BY US WITH THE EXPRESS AND SPECIFIC UNDERSTANDING THAT WE ASSUME NO LIABILITY WHAT SO EVER FOR THE USE, RESALE, OR SAFE HANDLING UNDER ANY AND ALL LAWS. ALL ITEMS ARE SOLD STRICTLY AND ONLY ON AN "AS IS" BASIS. WE MAKE NO WARRANTIES, EXPRESS OR IMPLIED, FOR ANY MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. WE HAVE NO KNOWLEDGE OF THE CONDITION OF THE FIREARM.

GUN CLEARANCE:
I HEREBY STATE THAT I, A CITIZEN OF THE UNITED STATES, HAVE NEVER BEEN CONVICTED OF A CRIME OF VIOLENCE, AM NOT A FUGITIVE OF JUSTICE, AM NOT AN HABITUAL DRUNKARD, AM NOT ADDICTED TO NARCOTICS, NOR AM I OF UNSOUND MIND I FURTHER STATE THAT, I AM OVER 18 YEARS OF AGE FOR LONG GUNS, OR 21 YEARS OF AGE FOR HAND GUNS, AND THAT I AM COMPLYING WITH ALL LAWS, LOCAL STATE AND FEDERAL.
I HAVE READ AND UNDERSTAND THE ABOVE.

SIGNATURE OF PURCHASER X

SIGNATURE OF SELLER JG

BUY • SELL • TRADE

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE RAZING (DEMOLITION) AND REMOVAL OF A CERTAIN RESIDENTIAL STRUCTURE WITHIN THE CITY OF SPRINGDALE, ARKANSAS, LOCATED AT 422 CAUDLE ST.; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, Lakeview Loan Servicing, LLC, is the owner of certain real property situated in Springdale, Washington County, Arkansas, more particularly described as follows:

Part of Lot 17 of Block 1 in the H.C. Waggoner Addition to the City of Springdale, Arkansas, described as follows, to-wit: Beginning at the Southeast corner of said Lot 17, thence North 117 feet, thence West 61 feet, **thence** South 117 feet, thence East 61 feet to the point of beginning. Subject to easements, rights of way and protective covenants of record, if any.

Commonly known as 422 Caudle St. Springdale, Washington County, Arkansas

Tax Parcel No. 815-26168-000

WHEREAS, the structure on the property is unfit for human habitation, constitutes a fire hazard, otherwise is dangerous to human life, or constitutes a hazard to safety or health by **reason** of inadequate maintenance, dilapidation, obsolescence, or **abandonment**, and further is unsightly, and is considered an unsafe and unsightly structure in violation of Springdale City Ordinances (§22-32 and §91-37, *et seq.*);

WHEREAS, the owner has been notified by the City of Springdale prior to the consideration of this ordinance, that the structure on the property is in violation of various ordinances of the City of Springdale, **as** well as the Property Maintenance Code of the City of Springdale;

WHEREAS, pursuant to Chapter 22-32 of the Ordinances of the City of Springdale, the owner **was** given thirty (30) days to purchase a building permit and to commence repairs on the property, or to demolish and remove the building from the property;

WHEREAS, the owner has failed, neglected, or refused to comply with the notice to repair, rehabilitate or to demolish and remove the building, and as such, the matter of removing the building may be referred to the City Council pursuant to Chapter 22 and Chapter 91 of the Ordinances of the City of Springdale;

WHEREAS, under Ark. Code Ann. § 14-56-203 and pursuant to Chapter 22 and Chapter 91 of the Springdale Code of Ordinances, if repair or removal is not done within the required time, the structure is to be razed (demolished) and/or removed;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:

Section 1. That the structure located at 422 Caudle St., Springdale, Arkansas, is dilapidated, unsightly, and unsafe; and it is in the best interests of the City of Springdale to proceed with the removal of this dilapidated, unsightly, and unsafe structure.

Section 2. That the owner is hereby ordered to **raze** (demolish) and remove the dilapidated, unsightly and unsafe structure located on the aforesaid property; and, is further ordered to abate the unsightly conditions on the property. Said work shall be commenced within ten (10) days and shall be completed within thirty (30) days from the passage of this ordinance. The manner of razing (demolishing) and removing said

structure shall be to dismantle by hand or bulldoze and then dispose of all debris, completely cleaning up the property to alleviate any unsightly conditions, in a manner consistent with the Property Maintenance Code, and all other state laws and regulations pertaining to the demolition or removal of residential structures.

Section 3. If the aforesaid work is not commenced within ten (10) days or completed within thirty (30) days, the Mayor, or the Mayor's authorized **representative**, is hereby directed to **cause** the aforesaid structure to be razed (demolished) and removed and the unsafe, unsanitary and unsightly conditions abated; and, the City of Springdale shall have a lien upon the aforesaid described real property for the cost of razing (demolishing) and removing said structure and abating said aforementioned conditions, said costs to be determined at a hearing before the City Council.

Section 4. EMERGENCY CLAUSE: The City Council hereby determines that the aforesaid unsafe structure constitutes a continuing detriment to the public safety and welfare and is therefore a nuisance, and determines that unless the provisions of this ordinance **are** put into effect immediately, the public health, safety and welfare of the citizens of Springdale will be adversely affected. Therefore, an emergency is hereby declared to exist and this ordinance begin necessary for the public health, safety and welfare shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of March, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov

January 15, 2019

Ernest B. Cate
City Attorney
ecate@springdalear.gov

Taylor Samples
Senior Deputy
City Attorney
tsamples@springdalear.gov

Sarah Sparkman
Deputy City Attorney
ssparkman@springdalear.gov

David D. Phillips
Deputy City Attorney
dphillips@springdalear.gov

Lynda Belvedresi
Case Coordinator/
Victim Advocate
lbeldresi@springdalear.gov

Steve Helms
Investigator
shelms@springdalear.gov

Cindy Horlick
Administrative Legal
Assistant/Paralegal
chorlick@springdalear.gov

Jacque Roth
Docket Coordinator/
Discovery Clerk
jroth@springdalear.gov

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Corporation Service Company
Registered Agent for Lakeview Loan Servicing, LLC
300 Spring Building, Suite 900
300 S. Spring St.
Little Rock, AR 72201

Lakeview Loan Servicing, LLC
P.O. Box 840
Buffalo, NY 14203-1495

RE: Property located at 422 Caudle St., Springdale, Washington
County, Arkansas,
Tax Parcel No. 815-26168-000

Dear Property Owner:

The Chief Building Inspector for the City of Springdale, Arkansas, has posted notice at 422 Caudle St. and has mailed notice in writing to you, via certified mail, that a structure located on property owned by you at 422 Caudle St., Springdale, Arkansas, was unsafe and could not be occupied until the property had been repaired. Furthermore, the owner was instructed to obtain a demolition or repair permit within thirty (30) days and to begin work within ten (10) days of obtaining the permit.

As of this date, you have taken no efforts to demolish or repair the structure on this property. As such, please be advised that the City Council for the City of Springdale will be reviewing the enclosed ordinance at a Committee Meeting that will take place at 5:30 p.m. on Monday, March 4, 2019, in the multi-purpose room located on the second floor of the City Administration Building at 201 N. Spring Street, Springdale, Arkansas. Also, the enclosed ordinance will be placed on the Council Agenda to be considered on Tuesday, March 12, 2019. This meeting will

meeting will take place in the Council chambers on the first floor of the City Administration Building. I strongly encourage you to attend these meetings.

Should the City adopt the enclosed ordinance, you will be given a final opportunity to repair or remove the structure. Should you not take advantage of this opportunity, the City of Springdale will have the right to raze and remove the structure, and then charge the costs of such as a lien against the property. The amount of any such lien would be determined by the City Council, and you would have the opportunity to be notified and be heard at this meeting. If you should have any questions, please let me know.

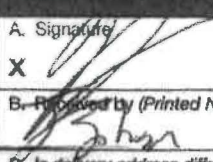
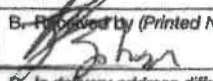

Sincerely,



Sarah Sparkman
City Attorney

enclosure
SS:ch

cc: Mike Chamlee, Chief Building Official
Tom Evers, Chief Building Inspector

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Corporation Service Company Registered Agent for Lakeview Loan Servicing, LLC 300 Spring Building, Suite 900 300 S. Spring St. Little Rock, AR 72201		B. Received by (Printed Name) 	
		C. Date of Delivery	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
 9590 9402 4320 8190 4186 71		3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	
2. Article Number (Transfer from service label) 7017 2680 0000 3373 2162		Restricted Delivery	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

ORDINANCE NO. _____

AN ORDINANCE ORDERING THE RAZING (DEMOLITION) AND REMOVAL OF A CERTAIN RESIDENTIAL STRUCTURE WITHIN THE CITY OF SPRINGDALE, ARKANSAS, LOCATED AT 422 1/2 CAUDLE ST.; TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, Roberto Figueroa-Bustamante, is the owner of certain real property situated in Springdale, Washington County, Arkansas, more particularly described as follows:

The North 55 feet of Lot Numbered 17 and the West 14 feet of the remainder of said Lot, in Block 1 in the H.C. Waggoner Addition to the City of Springdale, as designated upon the recorded plat of said Addition Commonly known as 422 1/2 Caudle St. Springdale, Washington County, Arkansas

Tax Parcel No. 815-26167-000

WHEREAS, the structure on the property is unfit for human habitation, constitutes a fire hazard, otherwise is dangerous to human life, or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, and further is unsightly, and is considered an unsafe and unsightly structure in violation of Springdale City Ordinances (§22-32 and §91-37, *et seq.*);

WHEREAS, the owner has been notified by the City of Springdale prior to the consideration of this ordinance, that the structure on the property is in violation of various ordinances of the City of Springdale, as well as the Property Maintenance Code of the City of Springdale;

WHEREAS, pursuant to Chapter 22-32 of the Ordinances of the City of Springdale, the owner was given thirty (30) days to purchase a building permit and to commence repairs on the property, or to demolish and remove the building from the property;

WHEREAS, the owner has failed, neglected, or refused to comply with the notice to repair, rehabilitate or to demolish and remove the building, and as such, the matter of removing the building may be referred to the City Council pursuant to Chapter 22 and Chapter 91 of the Ordinances of the City of Springdale;

WHEREAS, under Ark. Code Ann. § 14-56-203 and pursuant to Chapter 22 and Chapter 91 of the Springdale Code of Ordinances, if repair or removal is not done within the required time, the structure is to be razed (demolished) and/or removed;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:

Section 1. That the structure located at 422 1/2 Caudle St., Springdale, Arkansas, is dilapidated, unsightly, and unsafe; and it is in the best interests of the City of Springdale to proceed with the removal of this dilapidated, unsightly, and unsafe structure.

Section 2. That the owner is hereby ordered to raze (demolish) and remove the dilapidated, unsightly and unsafe structure located on the aforesaid property; and, is further ordered to abate the unsightly conditions on the property. Said work shall be commenced within ten (10) days and shall be completed within thirty (30) days from the passage of this ordinance. The manner of razing (demolishing) and removing said structure shall be to dismantle by hand or bulldoze and then dispose of all debris, completely cleaning up the property to alleviate any unsightly conditions, in a manner

consistent with the Property Maintenance Code, and all other state laws and regulations pertaining to the demolition or removal of residential structures.

Section 3. If the aforesaid work is not commenced within ten (10) days or completed within thirty (30) days, the Mayor, or the Mayor's authorized representative, is hereby directed to cause the aforesaid structure to **be** razed (demolished) and removed and the unsafe, unsanitary and unsightly conditions abated; and, the City of Springdale shall have a lien upon the aforesaid described real property for the cost of razing (demolishing) and removing **said** structure and abating said **aforementioned** conditions, said costs to be determined **at** a hearing before the City Council.

Section 4. EMERGENCY CLAUSE: The City Council hereby determines that the aforesaid unsafe structure constitutes a continuing detriment to the public safety and welfare and is therefore a nuisance, and determines that unless the provisions of this ordinance **are** put into effect immediately, the public health, safety and welfare of the citizens of Springdale will be adversely affected. Therefore, an emergency is hereby declared to exist and this ordinance begin necessary for the public health, safety and welfare shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of February, 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Office Of The City Attorney

201 Spring Street
Springdale, Arkansas 72764
Phone (479) 756-5900
Fax (479) 750-4732
www.springdalear.gov

January 25, 2018

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ecate@springdalear.gov

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Jacque Roth
Docket Coordinator/
Discovery Clerk
jroth@springdalear.gov

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND REGULAR MAIL**

Roberto Figueroa-Bustamante
3021 N. Main St.
Waldron, AR 72958

RE: Property located at 422 1/2 Caudle St., Springdale, Washington
County, Arkansas,
Tax Parcel No. 815-26167-000

Dear Mr. Figueroa-Bustamante:

The Chief Building Inspector for the City of Springdale, Arkansas, has posted notice at 422 1/2 Caudle St. and has mailed notice in writing to you, via certified mail, that a structure located on property owned by you at 422 1/2 Caudle St., Springdale, Arkansas, was **unsafe** and could not be occupied until the property had been repaired. Furthermore, the owner was instructed to obtain a demolition or repair permit within thirty (30) days and to begin work within ten (10) days of obtaining the permit.

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Should the City adopt the enclosed ordinance, you will be given a final opportunity to repair or remove the **structure**. Should you not take advantage of this opportunity, the City of Springdale will have the right to raze and remove the

structure, and then charge the costs of such as a lien against the property. The amount of any such lien would be determined by the City Council, and you would have the opportunity to be notified and be heard at this meeting. If you should have any questions, please let me know. I am also sending this letter to you via regular mail as well.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Sarah Sparkman', written in a cursive style.

Sarah Sparkman
City Attorney

enclosure
SS:ch

cc: Mike Chamlee, Chief Building Official
Tom Evers, Chief Building Inspector

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <u>Roberto Figueroa</u> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Roberto Figueroa-Bustamante 3021 N. Main St. Waldron, AR 72958</p>		<p>B. Received by (Printed Name) <u>Roberto F</u></p> <p>C. Date of Delivery <u>2/1/19</u></p>	
<p>2. Article Number 7017 2680 0000 3373 2124</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>		<p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt